

Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at http://about.jstor.org/participate-jstor/individuals/early-journal-content.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

LEADING ARTICLES IN VOLUME XIX

A New Tangle in Bankruptcy Law	727
Can a Woman Be a Deputy Clerk in Virginia?	401
Collateral Inheritance Tax	
Federal and State Regulation	168
Injury to Goods by Act of God during Delay by Carrier	
Interlocking Corporations	
Negligence and the Employers' Liability Act	811
Priority between Purchase Money and Laborer's Lien	
Report of Committee on Reform of Judicial Procedure	
Robert Lewis Parrish	
Should the Review of a Case Tried by a Jury under § 10, of the	
National Food and Drugs Act, Be by Writ of Error or	
Appeal?	801
Status of Suicide as a Crime	
Tax Titles in Virginia	
The Duty of the Bar	
The Federal Employers' Liability Act171, 248, 334, 502,	
The Federal Income Tax Law481,	
The Minnesota Rate Cases	
The New Federal Equity Rule No. 46-Testimony Taken in Open	
Court	81
	-

TABLE OF CASES REPORTED IN FULL IN VOLUME XIX

Barraud v. Barraud, et als	610
Baugham v. New York, etc., R. Co.*	740
Berry v. Board of Supervisors of Stafford County	16
Boyd v. Southern Ry. Co	288
Bridgewater Mfg. Co. v. Funkhouser, Revenue Com'r*	830
Burger et al. v. State Female Normal School	45
City of Richmond v. Burton	361
City of Richmond et al. v. Sutherland	38
City of Richmond v. Williams et al	103
Eggborn v. Smith*	
Fields v. Virginian R. Co	207
In re Local Option Elections*	746
Jackson v. Hewlett et al.*	87
Kabler v. Spencer's Adm'r et al	126
Kefauver v. Fitzgerald	271
Lambert v. Barrett*	
Leavell v. Grasty	
McMenamin et al. v. Southern Ry. Co.*	
Miller v. Norton & Smith	31
Neathery v. Neathery	116
Norfolk, etc., Traction Co. v. City of Norfolk*	276
Oglesby Co. et al. v. Bank of New York	
Phillips et al. v. Dulany et al	
St. Stephen's Episcopal Church et al. v. Norris' Adm'r et al	
Saville v. Virginia Ry. & Power Co	
Shiflett v. Commonwealth	
Simmons, et al. v. Land	
Smith's Adm'r v. Hatke	
Southern Rv. Co. v. Rice's Adm'x*	
Stratton v. New York Life Ins. Co.*	662
Terry & Watkins v. Daniel*644,	
Fown of Ashland v. John Coleman	
United States Express Co. v. City of Portsmouth*	
Wardell v. Birdsong et al.*	
West Disinfecting Co. v. Gunn	

^{*}Annotated.

TABLE OF CASES DIGESTED IN VOLUME XIX

Adams v. Booker	380
Alphin v. Lowman	
Armour & Co. v. Commonwealth	766
Atarke v. Storm's Ex'r	860
Bernard et al. v. McClanahan	907
Blunt v. Mercantile Ry. Building & Loan Ass'n et al	463
Bowman v. First Nat. Bank of Broadway	912
Boyenton v. Commonwealth	52
Bragg v. Tinkling & Improvement Co	383
Branham v. Artrip	780
Burner v. Burner	857
Camden v. Virginia Safe & Trust Corporation	679
Cannon v. Bates	934
Cardwell v. Norfolk, etc., R. Co	381
Carter v. Thorp	54
Chambers v. City of Roanoke	382
Chesapeake & O. Ry, Co. v. Swartz	928
Chesapeake, etc., R. Co. v. Chapman	688
Citizens' Bank of Norfolk v. Norfolk & W. Ry. Co	533
City of Lynchburg v. Amherst County	922
Clayville Mfg. Co. et al. v. Southern Ry. Co	52
Colonial Coal & Coke Co. v. Ream et al	60
Cook v. Commonwealth	299
Cornell v. Forbes et al	133
Croghan v. Worthington Hardware Co	850
Culpeper National Bank v. Wrenn	682
Culpeper National Bank, Culpeper Va., Inc., v. Walter & Walter.	215
Davis v. Cole Bros	847
Dennis v. Justus et al	911
Devers v. Devers	855
Dickenson et al. v. Ramsey et al	845
Diebold v. Tatterson	935
Dismal Swamp R. Co. v. Roper Lumber Co	220
Draper v. Commonwealth	695
Eason v. Lyons et al	56
Eichelberger v. Mann	939
Ex parte Settle	218
	943
General Board of State Hospitals for the Insane v Robertson	862

Gent's Ex'x v. Pruner's Adm'r et al	853
Goodloe et al. v. Woods et al	918
Grief v. Kegley, Judge	908
Haden v. Falls	933
Hall's Adm'r et al. v. White et al	132
Hardy et al. v. Coley et al	57
Hawling v. Chapin et al	936
Hill et al. v. Saunders et al	532
Holladay v. Moore	462
Honaker v. Shrader	836
House v. Universal Crusher Corporation	855
Huff et al. v. Welch	535
Isaacs v. Isaacs et al	911
Jacobs v. Warthen	921
Jacot v. Grossmann Seed & Supply Co	692
Jordan v. Walker	691
Kincheloe et al. v. Gibson's Ex'x	540
King & Co. v. Hancock & Sons	57
Kiser v. Colonial Coal & Coke Co	775
Lanston Monotype Mach. Co. v. Times-Dispatch Co	940
Leftwich v. Early	777
Lemons v. Harris et al	941
Lewis v. Commonwealth	932
Liquid Carbonic Co. v. Whitehead et al	916
Looney v. Commonwealth	683
Luck Const. Co. v. Russell County	838
Lynch v. O'Brien et al	836
McCauley et al. v. Grim et al	852
McKee v. Bunting-McNeal Real Estate Co., Inc	298
Marsteller v. Warden	768
Martin v. Hall	694
Mathews v. Hickman	463
May et al. v. Sherrard's Legatees et al	846
Metropolitan Life Ins. Co. of New York v. O'Grady	944
Middle Atlantic Immigration Co. v. Ardan	676
Miller's Trustees et al. v. Smith et al	138
Mitchell v. Williams	54
Morgan v. Commonwealth	779
Morris et al. v. Bernard et al	137
Mullins v. Commonwealth	696
Murguiondo v. Nowlan's Ex'er et al	540
Mutual Fire Ins. Co. v. Turner	909
Mutual Life Ins. Co. of New York v. Board, etc	927
Nesbit v. Webb	766
Newton v. White	924
Northern Neck State Bank, Inc. v. Gilbert Packing Co. et al.	135

Patrick v. Commonwealth	686
Peek v. City of Hampton	
Penn et al. v. Tucker et al	139
Pennington v. Third Nat. Bank of Columbus, Ga	136
Phipps v. Wise Hotel Co	776
Powhatan Lime Co. v. Affleck's Adm'r	858
Rafferty v. Heath	690
Recker v. Southern Ry. Co	537
Reichenstein v. Virginia Ry. & Power Co	926
Ritter Lumber Co. v. Coal Mountain Mining Co	695
Roach v. Southern Ry. Co	55
Rosenberg v. United States Fidelity & Guaranty Co. of Balti-	
more, Md	531
Ross v. Ross	700
Salem Loan & Trust Co. v. Kelsey	699
Savings Bank of Richmond v. Todd et al	133
Shiflett v. Commonwealth	299
South Atlantic Life Ins. Co. v. Hurt's Adm'x	
Southern R. Co. v. Baptist	216
Southern R. Co. v. Rice	678
Spriggs et al. v. Jamerson	534
Steele v. Colonial Coal & Coke Co	773
Stonega Coke & Coal Co. v. Williams	
Stonegap Colliery Co. v. Kelly	771
Tatterson v. Fidelity, etc., Co	769
Tisdale v. Commonwealth	141
Triplett v. Gudebrod	854
United States v. Trigg Co	384
Virginia Beach Development Co. v. Commonwealth	
Virginia Coal & Iron Co. v. Hylton	769
Virginian Ry. Co. v. Bell	
Virginia Ry. & Power Co. v. Ferebee	530
White v. American Nat. Life Ins. Co	538
Wilkes' Adm'r v. Wilkes et al	945
Wooddy et al. v. Taylor et al	295
Wright v. Commonwealth	296
Yates v. Yates	
Yellow Poplar Lumber Co. v. Goble	849

GENERAL INDEX TO VOLUME XIX

ABATEMENT, REVIVAL AND SURVIVAL.	
See ATTACHMENT.	
Appeal and Error—Presumption—Withdrawal of Plea in Abate-	
ment 6	
Variance between Declaration and Writ-Remedies 6	88
ABDUCTION AND KIDNAPPING.	
See WHITE SLAVE ACT.	
ACCORD AND SATISFACTION.	
Defense—Satisfaction 9	39
ACCOUNTS AND ACCOUNTING.	
See TRUSTS AND TRUSTEES.	
ACKNOWLEDGMENT.	
Impeachment 88	52
ACTIONS.	
See PLEADING.	
Causes of Action—Joinder—Indorser and Guarantor of Note 9:	12
Issuance of County Bonds for Roads or Bridge Improvement	
under Act of February 25, 1910-Nature of Proceedings un-	
	16
One Cent Law Suit 98	59
ACTS OF ASSEMBLY.	
Acts 1830-31, p. 99	13
Acts Feb. 27, 1866 (Acts 1865-66, c. 18)	
·	19
Acts 1881-82, c. 13	23
Acts January 28, 1884, p. 56 24	44
Acts March 11, 1884, p. 498 24	44
Acts 1891-92, c. 609 95	26
Acts February 2, 1892 (Laws 1891-92, c. 136) 25	20
	52
, , , , , , , , , , , , , , , , , , , ,	73
	73
, •	73
, , , , ,	44
	44
Act February 14, 1896, p. 367, § 4	
Act February 14, 1896, p. 367, § 5	

ACTS OF ASSEMBLY—Continued.	
Act March 3, 1896 (Laws 1895-96, c. 625)	382
Acts 1897-8, p. 424	19
Acts 1897-98, p. 569	
Act February 9, 1898 (Laws 1897-98, c. 257)382,	383
Act March 25, 1902 (Acts 1901-02, c. 307)	
Acts 1902-03-04, cc. 269, 566	383
Acts 1902-3-4, c. 578	
Acts 1906, p. 301	
Act of February 17, 1906 (Laws 1906, c. 24)	369
Act February 20, 1906 (Laws, c. 48)	
Act March 14, 1906 (Acts 1906, c. 177)	
Act March 12, 1908 (Laws 1908, c. 195)	
Acts 1910, c. 39	
Acts 1910, c. 284	
Acts 1910, c. 315	25
Act of February 25, 1910	16
Act March 14, 1910, p. 229	
Act March 15, 1910, § 27 (Laws 1910, c. 190)	
Acts of 1912, p. 75902,	
Acts 1912, c. 347218,	
Act Feb. 19, 1912 (Acts 1912, c. 42)	
Act March 13, 1912, p. 453	
ADEMPTION.	
See WILLS.	
ADEQUATE REMEDY AT LAW.	
See INJUNCTIONS.	
Grounds of Defense—Contract for Services	860
	000
ADMEASUREMENT.	
See DOWER.	
ADMISSIONS.	
See DECLARATIONS AND ADMISSIONS.	
ADULTERATION.	
See INNS AND INNKEEPERS.	
Editorial—Pure Food as between the State and the United	
States—Original Packages	148
Method of Review under § 10 of the Pure Food Act—Leading	110
Article	801
	001
ADVERSE POSSESSION.	
See INFANTS; JOINT TENANTS AND TENANTS IN	
COMMON.	
Color of Title-Mineral Interest	
Lost Grant—Presumptions	852

ADVERTISEMENTS.
See MUNICIPAL CORPORATIONS.
AERIAL NAVIGATION.
See EDITORIAL.
AFFIDAVIT.
See ATTACHMENT; MECHANICS' LIENS.
AFTER-DISCOVERED EVIDENCE.
See NEW TRIAL.
AGENCY.
See BANKS AND BANKING; BROKERS; LIFE INSURANCE.
Authority—Signature of Notes—Evidence
Continuance of Relation—Presumptions 538
ALIENATED AFFECTIONS.
See HUSBAND AND WIFE.
ALIMONY.
Decree for Alimony-Lien of Decree 911
ALLEGATIONS.
See INDICTMENT AND INFORMATION; PLEADING.
ALTERATION OF INSTRUMENTS.
Remedies
AMENDMENT.
See ATTACHMENT; STATUTES.
Amendment of Bill or Subject Matter
Declaration—Different Cause of Action
AMERICAN BAR ASSOCIATION.
See BAR ASSOCIATION.
AMOUNT IN CONTROVERSY. See JURISDICTION.
ANIMALS.
A Humane Contract Upheld—Care of Sick Horse 395
Injunctions against Roving Chickens 799
Savage Animal—Liability of Proprietors of Theater 73
The Turkey as an Animal 474

ANIMO	REVOCA	NDL
-------	--------	-----

See WILLS.

ANSWER.

See CROSS-BILL; SPECIFIC PERFORMANCE.

ΔDI	PEAT.	AND	ERROR.

See CONSTITUTIONAL LAW; COUNTIES; EXCEP-	-
TIONS, BILL OF; TAXATION.	
Appellate Jurisdiction-Party Secondarily Liable-Statutes	695
Decisions Reviewable-Final Order	699
Determination-Effect in Lower Court	138
Editorial—A Remarkable Appeal	
Editorial-Evidence-Excluding Answer of Witness	
Editorial-When Should a Statute Be Construed by a Court of	
Last Resort?	
Error—Burden of Showing Error	462
Error-Conduct of Trial-Rebuttal Testimony	921
Error—Instructions—Burden of Proof—Prejudice	
Estoppel on Appeal—Admissions in Trial Court	
Harmless Error—Admission of Evidence	
216, 692, 836, 847, 924, 928,	944
Harmless Error—Instructions921,	937
Harmless Error—Venue	296
Jurisdiction—Burden of Proof	
Mode of Review under § 10 of the National Food and Drugs	000
Act—Leading Article	801
Objections in Lower Court—Report of Referee	540
Perfecting Appeal—Computation of Time	
Perfecting Appeal—Dismissal of Bill of Review	
Petition for Writ of Error—Successive Petitions	
Presentation of Grounds of Review Below-Necessity	
Presumptions—Withdrawal of Plea in Abatement	696
Questions in Trial Court—Admissions	
Questions Reviewable—Theory of Case in Trial Court	
Record—Prejudice—Rulings on Evidence	912
Record—Questions Presented—Admission of Evidence	921
Record—Statement of Costs	132
Record—Variance—Writ and Declarations	19%
Review—Allowance of New Trial	000
Review—Conflicting Evidence	525
Review—Constitutionality of Statute—Necessity of Determina-	000
tion	042
Review—Damages—Adequacy—Eminent Domain	100
Review—Demurrer to Evidence	601
Review—Discretion of Lower Court—New Trial	381
	J O 1

APPEAL AND ERROR—Continued.	
Review—Failure to Enter Order. Review—Harmless Error—Instructions Review—Harmless Error—Probate of Wills. Review—Harmless Error—Striking Pleas. Review—Matters Not Necessary to Decision. Review—Presentation of Questions Below. Review—Questions of Fact. Review—Rulings on Evidence—Prejudice Review—Setting Aside Verdict—Record. Right of Appeal—Party Secondarily Liable—Statutes Right to Complain—Favorable Instructions. Subsequent Appeals—Record on Former Appeal. Technicality Defined The Art of Brief Making. Trial—Orders of Proof—Discretion Verdict—Conclusiveness Verdict—Conflicting Evidence Support	207 945 936 534 296 836 842 941 695 534 309 716 688 535 928
Writ to Allege Error-Variance-Question Not Raised at Trial.	688
APPEARANCES.	
As Waiver of Venue Effect—Defects in Service—Submission to Jurisdiction What Constitutes—Motion to Dismiss—Want of Jurisdiction.	531
ARGUMENTS OF COUNSEL.	
Reference to Code	941
ASSAULT AND BATTERY.	
Abusive Language Over Telephone as Assault	233 794
ASSESSMENTS.	
See MUTUAL INSURANCE; TAXATION.	
ASSIGNMENTS FOR BENEFIT OF CREDITORS.	
Action by Creditor—Sufficiency of Evidence Lien of Creditor—Liability of Trustee—Purchase with Notice Lien of Creditor—Personal Judgment Remedy of Creditor—Burden of Proof—Notice Sale by Assignee—Right of Purchaser Trustee as Bona Fide Purchaser	916 916 916 916
ASSUMPTION OF RISKS.	
See CARRIERS; MASTER AND SERVANT; NEGLI-GENCE; RAILROADS.	

ATTACHMENT.	
See JURISDICTION; LANDLORD AND TENANT.	
Abatement—Time	
Affidavit—Amendment	
Affidavit—Clerical Error	
Affidavit—Sufficiency—Alternative Allegations	135
ATTORNEY AND CLIENT.	
See BAR ASSOCIATION.	
Attorney's Fee Clause—Validity—Law Governing	122
Depositions—Notice—Service on Attorney	
Disbarment—Warning to Claim Adjusters	
Editorial—Lawyers in the Limelight Editorial—Legal Aid for Poor People	68
Editorial—The New Obligation upon Lawyers	
Right of Accused to Consult with Counsel	
The Decline in Litigation	
The Duty of the Bar—Leading Article	
ATTORNEY GENERAL.	
Editorial—The Report of the Attorney General	873
AUTOMOBILES.	
Blessing or Curse Editorial—The Reckless Motorist as a Felon Injury to—Proximate Cause—Injury from Horse Due to Fright from Dog Unauthorized Use—Liability of Owner	388 73
•	873
AVERMENTS.	
See INDICTMENT AND INFORMATION.	
BAGGAGE.	
See INNS AND INNKEEPERS.	
BAILMENT.	
Sale of Horse—Damage during Trial Run—Seller's Risk—Negligence	152
BANKRUPTCY AND INSOLVENCY.	
A New Tangle in Bankruptcy Law-Leading Article	727
Assets in Bankruptcy—Engagement Ring	717
BANKS AND BANKING.	
See BILLS, NOTES AND CHECKS.	
Agency-Authority-Sufficiency of Evidence	
Collections—Title to Paper Received for Collection	31
Collections—Title to Proceeds	
Deposits—Receipt after Insolvency	136

BANKS AND BANKING—Continued.	
Deposits-Relation between Bank and Depositor	31
Directors—Acceptance of Office	
Directors Are Not Liable for Defalcation of Cashier	
Directors—Nature of Duties—Trustees	
Directors—Resignation—Estoppel	
Editorial—Effect of Crediting Check	71
Offenses—Receiving Deposits with Knowledge of Insolvency	237 52
Offenses—Receiving Deposits While Insolvent—Indictment	52 52
Officers—Authority	
Statutes - Implied Repeal - Private Bankers - Offenses -	-10
"Bank"	52
Trust Companies—Administration of Assets—Bill—Majority of	
Directors Trust Companies—Distribution of Assets—Bill by Directors	679
and Stockholders—Jurisdiction	670
	013
BAR ASSOCIATION.	
Annual Meeting of the American Bar Association	156
Editorial—Meeting of the American Bar Association at Montreal	465
Editorial—The Meeting of the Bar Association July, 1913	385
Editorial—The Report on Legal Reform at the Last Virginia	300
State Bar Association	469
Editorial—The Virginia State Bar Association	
Report of Committee on Reform of Judicial Procedure (Hot	
Springs, 1913)—Leading Article	321
BAR EXAMINATIONS.	
Editorial—The Last Bar Examination301,	
Repetition of Questions on Bar Examinations	
Richmond, Va., November 5, 1913—Questions and Successful	
Applicants Roanoke, Va., June 25, 1913—Questions and Successful Appli-	
cants	
BASEBALL.	312
See THEATERS AND SHOWS.	
BENEFICIAL AND BENEVOLENT ASSOCIATIONS.	
See EXECUTORS AND ADMINISTRATORS.	
BEST AND SECONDARY EVIDENCE.	
Documents	847
BIDS.	
See JUDICIAL SALES.	
oce judicinia dilata.	

BILL OF EXCEPTIONS.	
See EXCEPTIONS, BILL OF.	
BILL OF PARTICULARS.	
Duty to Request	928
BILL OF REVIEW.	
See APPEAL AND ERROR.	
Defenses—Negligence	
Grounds	
Grounds—Establishment	
BILLS, NOTES AND CHECKS.	199
See FRAUDS, STATUTE OF; PAROL EVIDENCE.	
Action—Declaration—Ownership of Debt	912
Action-Joiner-Indorser and Guarantor of Note	912
Attorney's Fee Clause—Law Governing	122
Attorney's Fee Clause—Validity	122
Bona Fide Purchasers—Payment of Value Editorial—Parol Agreement and the Negotiable Instruments	31
Law	785
Evidence—Joint Indorsement—Agreement between Indorsers—	.00
Statutes	847
Guaranty—Action against Guarantor—Evidence	
Liability of Indorser—Release	836
BLASPHEMY.	
Editorial—Blasphemy	710
BONA FIDE PURCHASER	
See ASSIGNMENTS FOR THE BENEFIT OF CREDIT-ORS; BILLS, NOTES AND CHECKS.	
BONDS.	
See JURISDICTION; LOST INSTRUMENTS.	
Construction—Impossibility of Performance	126
Joint Obligation—Liability	126
BOUNDARIES.	
Evidence—Admissibility	336
Trial of Issues—Question for Jury	54
BRIDGES.	
Authority to Construct	37
Issuance of County Bonds for Road or Bridge Improvement	122
under Act of February 25, 1910—Form and Requisites of Or-	
der for Election	16

BRIDGES—Continued.	
Issuance of County Bonds for Road or Bridge Improvement under Act of February 25, 1910—Nature of Proceedings under Statute	16
Issuance of County Bonds for Road or Bridge Improvement under Act of February 25, 1910—Power of Court to Designate Roads and Bridges to Be Improved	16
Maintenance—Repairs Maintenance—Watchman Ownership—Municipal Corporations—Maintenance Terms Ownership and Maintenance—Authority of County	922 922
BROKERS.	
Actions for Commissions—Instructions Commissions—When Earned Compensation—Right to Compensation	676
BUILDING AND LOAN ASSOCIATION.	
Insolvency—Nature of Indebtedness—Purchase of Stock or Loan	463
BURDEN OF PROOF.	
See FRAUDULENT CONVEYANCES; NOTICE; PRESUMPTIONS AND BURDEN OF PROOF.	
BURGLARY.	
Self-Defense against Burglars	76
CANCELLATION.	76
	76
CANCELLATION. See RESCISSION, CANCELLATION AND REFORMA-	76
CANCELLATION. See RESCISSION, CANCELLATION AND REFORMATION; WILLS. CARRIERS. See INSTRUCTIONS; RAILROADS.	76
CANCELLATION. See RESCISSION, CANCELLATION AND REFORMATION; WILLS. CARRIERS. See INSTRUCTIONS; RAILROADS. Carriage of Passengers—Injuries to Passengers in Alighting—	
CANCELLATION. See RESCISSION, CANCELLATION AND REFORMATION; WILLS. CARRIERS. See INSTRUCTIONS; RAILROADS. Carriage of Passengers—Injuries to Passengers in Alighting—Fingers in Wrong Place	793
CANCELLATION. See RESCISSION, CANCELLATION AND REFORMATION; WILLS. CARRIERS. See INSTRUCTIONS; RAILROADS. Carriage of Passengers—Injuries to Passengers in Alighting—Fingers in Wrong Place	793 840
CANCELLATION. See RESCISSION, CANCELLATION AND REFORMATION; WILLS. CARRIERS. See INSTRUCTIONS; RAILROADS. Carriage of Passengers—Injuries to Passengers in Alighting—Fingers in Wrong Place	793 840 533
CANCELLATION. See RESCISSION, CANCELLATION AND REFORMATION; WILLS. CARRIERS. See INSTRUCTIONS; RAILROADS. Carriage of Passengers—Injuries to Passengers in Alighting—Fingers in Wrong Place	793 840 533 533
CANCELLATION. See RESCISSION, CANCELLATION AND REFORMATION; WILLS. CARRIERS. See INSTRUCTIONS; RAILROADS. Carriage of Passengers—Injuries to Passengers in Alighting—Fingers in Wrong Place	793 840 533 533 533
CANCELLATION. See RESCISSION, CANCELLATION AND REFORMATION; WILLS. CARRIERS. See INSTRUCTIONS; RAILROADS. Carriage of Passengers—Injuries to Passengers in Alighting—Fingers in Wrong Place	793 840 533 533 881
CANCELLATION. See RESCISSION, CANCELLATION AND REFORMATION; WILLS. CARRIERS. See INSTRUCTIONS; RAILROADS. Carriage of Passengers—Injuries to Passengers in Alighting—Fingers in Wrong Place	793 840 533 533 881 475
CANCELLATION. See RESCISSION, CANCELLATION AND REFORMATION; WILLS. CARRIERS. See INSTRUCTIONS; RAILROADS. Carriage of Passengers—Injuries to Passengers in Alighting—Fingers in Wrong Place Carriage of Passengers—Railway Mail Clerks—Contributory Negligence—Assumption of Risk Freight—Demurrage Freight—Actions for Demurrage—Sufficiency of Evidence Freight—Payment of Demurrage Charges Injury to Goods by Act of God during Delay by Carrier—Leading Article Jim Crow Act Upheld	793 840 533 533 881 475 168
CANCELLATION. See RESCISSION, CANCELLATION AND REFORMATION; WILLS. CARRIERS. See INSTRUCTIONS; RAILROADS. Carriage of Passengers—Injuries to Passengers in Alighting—Fingers in Wrong Place Carriage of Passengers—Railway Mail Clerks—Contributory Negligence—Assumption of Risk Freight—Demurrage Freight—Actions for Demurrage—Sufficiency of Evidence Freight—Payment of Demurrage Charges Injury to Goods by Act of God during Delay by Carrier—Leading Article Jim Crow Act Upheld The Federal and State Regulation—Leading Article	793 840 533 533 881 475 168

CHAMBERS AND VACATION. Powers in Vacation—Local Option Cases
CHANCERY. See EQUITY.
CHANGE OF VENUE. See VENUE.
CHARTERS. See CORPORATIONS; MUNICIPAL CORPORATIONS.
CHECKS. See BANKS AND BANKING; BILLS, NOTES AND CHECKS.
CIRCUMSTANTIAL EVIDENCE. See DEATH; FRAUD.
CITIZENS. See CONSTITUTIONAL LAW.
CITY COUNCILMEN. See MUNICIPAL CORPORATIONS.
CIVIL RIGHTS. See CONSTITUTIONAL LAW; SEGREGATION OF RACES. Abridgment of Federal and State Citizenship
CLAYVILLE.
See RAILROADS.
CLERKS OF COURT. See DISMISSAL, DISCONTINUANCE AND NONSUIT. Can a Woman Be a Deputy in Virginia?—Leading Article 401 Mortgages—Recordation—Double Taxation—Tax

CODES OF VIRGINIA.

Code	1849	113
Code	1849, c. 124, p. 526	113
Code	1849, p. 625, c. 161, § 4	329
Code	1860, p. 189, § 9	242
Code	1860, p. 194	242
Code	1860, p. 237	243
Code	1873, ch. 61, § 62	20
Code	1873, p. 291, § 19	243
	1873, p. 349, § 3	243
Code	1873, p. 363, §§ 1, 2, 7	243
Code	1887, § 1243	18
Code	1887, § 3484	926
Code		747
Code	1904, ch. 10, § 146	748
Code	1904, ch. 10, § 146	749
Code	1904, ch. 25	746
Code	1904, ch. 25, § 581	749
Code	1904, ch. 25, § 582	749
Code	1904, c. 114	112
Code	1904, ch. 187	41
Code	1904, c. 3211	363
Code	1904, p. 2195, § 8	830
Code	1904, p. 2219, § 44a	245
Code	1904, § 5, cl. 10	107
Code	1904, § 13, p. 2196	25
Code	1904, § 86d	897
Code	1904, § 109	748
Code	1904, § 110	748
Code		894
Code	1904, § 122d	894
Code	1904, § 122h	754
Code	•	894
Code		754
Code	1904, § 160	894
Code	1904, § 437a	908
Code		908
Code	1904, § 568	908
Code	•	908
Code	1904, § 581	754
Code	· · · · · · · · · · · · · · · · · · ·	754
Code	of 1904, § 817	
Code	1904, § 834, cl. 2	924
Code	1904, § 838	838

CODES OF VIRGINIA—Continued.

Code	1904, § 843	838
	1904, § 844	838
Code	1904, § 944a (36)	18
Code	1904, § 1013a-1048	383
Code	1904, § 1015e	370
Code	1904, § 1016b	39
Code	of 1904, § 1038	427
Code	of 1904, § 1038	428
Code	1904, § 1042a	382
Code	1904, § 1105a (4)	939
Code	1904, § 1105f, cl. 3	48
Code	1904, § 1105f, cl. 5	103
Code	1904, § 1105f, cl. 5	106
Code	1904, § 1105f, cl. 24	47
Code	1904, § 1105f, cl. 25	45
Code	1904, § 1171	52
Code	1904, § 12941 (3)	276
Code	1904, § 1398	305
Code	1904, § 1398	527
Code	1904, § 1697	862
Code	1904, § 1702	862
Code	1904. § 2259	851
Code	1904, § 2462	917
Code	1904, § 2485	721
Code	1904, § 2514	540
Code	1904, § 2562	111
Code	1904, § 2562	113
Code	1904, § 2563	111
Code	1904, § 2568	112
Code	1904, § 2760	780
Code	1904, § 2791	907
Code	1904, § 2795c	707
Code	1904, § 2840	847
Code	1904, § 2841a	847
Code	1906, § 2927	936
Code	1904, § 2962	907
Code	1904, § 2981	135
Code	1904, § 3207	57
Code	1904, § 3207	701
Code	1904, § 3211	355
Code	1904, § 3225	701
Code	1904, § 3227	856
Code	1904, § 3241	856
Code	1904, § 3249	929
Code	1904, § 3271	905

CODES OF VIRGINIA—Continued.	
Code 1904, § 3346	946
Code 1904, § 3346-a	56
Code 1904, § 3346-a	946
Code 1904, § 3346-a, subd. 3	. 946
Code 1904, § 3362	57
Code 1904, § 3362	5 8
Code 1904, § 3373	616
Code 1904, § 3377a	126
Code 1904, § 3384	929
Code 1904, § 3392	534
Code 1904, § 3454	695
Code 1904, § 3455	695
Code 1904, § 3474	380
Code 1904, § 3494	126
Code 1904, § 3786b	630
Code 1904, § 3800	709
Code 1904, § 3801	41
Code 1904, § 3801-02-03a	709
Code 1904, § 3804	41
Code 1904, § 3815	932
Code 1904, § 3975	296
Code 1904, § 3978	296
Code 1904, § 3988	696
Code 1904, § 3999	358
Code 1904, § 4016	29 6
Code 1904, § 4018	686
Code 1904, § 4024	683
Code 1904, § 4036	683
Code 1904, § 4106	38
Code of 1904, vol. 3, p. 164	21
Code 1904, ccxxi	219
Code 1904, ccxxiii	
Code 1904, p. ccxxxi	
Code 1904, p. ccxxxiii	
Code Supp. 1910, p. 780	943
COLLECTIONS.	
See BANKS AND BANKING.	
COLLEGES AND UNIVERSITIES.	
Spurious American Degrees in Germany	959
COLORED PERSONS.	
See CARRIERS; INJUNCTIONS; MARRIAGE; SEGRE-	
CATION OF THE PACES	

COMITY.

See CONFLICT OF LAWS.	
COMMERCE.	
See INTERSTATE COMMERCE; MASTER AND SERVANT.	
COMMISSIONERS.	
See REFERENCE.	
COMMISSIONS. See BROKERS.	
COMMON LAW.	
See MARRIAGES.	
As Part of Federal Jurisprudence	
COMPARATIVE NEGLIGENCE.	
See NEGLIGENCE.	
COMPUTATION OF TIME.	
See APPEAL AND ERROR.	
CONDEMNATION PROCEEDINGS.	
See EMINENT DOMAIN.	
CONDITIONAL SALES.	
See SALES.	
CONDITIONS.	
See VENDOR AND PURCHASER.	
CONFEDERATE STATES.	
The Lost Cause	715
CONFESSIONS.	
Admissibility of Confession by Third Person	712
Editorial—Confession of Third Parties as Evidence in Favor of a Person on Trial	706
Untrue Confessions	397
CONFLICT OF LAWS.	
Bills and Notes—Attorney's Fee Clause—Law Governing	
Contracts—Validity—What Law Governs—Comity	122
CONSIDERATION.	
See DEEDS; DOWER; FRAUDULENT CONVEYANCES; PAROL EVIDENCE.	

CONSTITUTIONAL LAW.	
See CIVIL RIGHTS; INTERSTATE COMMERCE; MAS-	
TER AND SERVANT; SEGREGATIONS OF THE	
RACES.	
Abridgment of Privileges of Federal Citizenship-State Citi-	
	427
Constitutionality of Statute-Necessity of Determination	943
Constitutionality of Statutes—Presumptions	890
Double Taxation—Record of Mortgages	25
Due Process of Law-Deprivation of Beneficial Interest in	
Trust Company	862
Due Process of Law—Segregation Ordinances	427
Editorial—A Curious Complication	948
	542
	307
Equal Protection of the Laws-Police Power Exercised with	
	427
Extent of State Powers over Privileges of State Citizenship	427
Jim Crow Act Upheld	475
	686
Municipal Ordinances-Power of Courts to Declare Ordi-	
	428
	427
Police Powers-Municipal Corporations-Segregation Ordi-	
nances	427
Police Powers—Regulations to Be Reasonable and Not Arbi-	
trary—May Be Special and Limited in Scope	427
Police Powers—Segregation of Races—Impairment of Obli-	
gation of Contract	
Presumptions as to Statutes—Constitutionality	
Privileges of State and Federal Citizenship Defined	
Qualifications of Voters—Power of Legislature to Prescribe	
Right to Reside Where One Chooses a Privilege of State Cit-	211
izenship	427
Statutes and Ordinances Declared Invalid Only in Clear Cases	
The Fourteenth Amendment—Distinguishes between Privileges	
and Immunities of Citizens as Citizens of State and of	
United States	
CONSTITUTION OF UNITED STATES.	
Article 1, § 8	
Editorial—VIIth Amendment	
The XIVth Amendment	42
CONSTITUTION OF VIRGINIA.	
Constitution 1902 art 4 & 62	27

CONSTITUTION OF VIRGINIA—Continued.	
Constitution 1902, art. 4, § 65	953
Constitution 1902, art. 8, § 117, p. ccxxxIII	274
Constitution 1902, art. 8, § 127	953
Constitution 1902, art. 2, § 18	27
Constitution 1902, § 21	898
Constitution 1902, § 27	895
Constitution 1902, § 31	402
Constitution 1902, § 32	401
Constitution 1902, § 38897,	
Constitution 1902, § 52	219
Constitution 1902, § 63	
Constitution 1902, § 85	
Constitution. 1902, § 87	
Constitution 1902, § 108	
Constitution 1902, § 160	
Constitution 1902, § 162	
Constitution 1902, § 183	242
CONTEMPT.	
A Remarkable Case	798
Editorial-The English Statute of Contempt by Publication of	
Comments on a Pending Case	390
Injunction—Trust Companies—Payment of Assets	
Satisfaction of Judgment	679
CONTINUANCE.	
Discretion of Court	296
Grounds for Continuance—Preparation by Counsel	
	290
CONTRACTS.	
See BILLS, NOTES AND CHECKS; BONDS; CON-	
FLICT OF LAWS; DEEDS; DRAINS AND SEW-	
ERS; FRAUDS, STATUTE OF; INFANTS; INTER-	
EST; MASTER AND SERVANT; MUNICIPAL COR-	
PORATIONS; SALES; SPECIFIC PERFORMANCE;	
STREETS AND HIGHWAYS; VENDOR AND PUR-	
CHASER.	
A Humane Contract Upheld—Consideration	395
Ratification of Fraudulent Acts-Burden of Proof	538
Validity—What Law Governs—Comity	
CONTRIBUTORY NEGLIGENCE.	
See NEGLIGENCE.	

COPYRIGHTS.	
Editorial—United States Decisions as Authority in England	389
CORPORATIONS. See EMINENT DOMAIN; MUNICIPAL CORPORATIONS; OFFICERS AND AGENTS OF PRIVATE CORPORATIONS; STOCK AND STOCKHOLDERS; TAXATION.	
Action—Process—Service—"Executed" Charters—Forfeiture—Collateral Attack Editorial—Service of Process on Corporations Editorial—The States and the Corporations. Interlocking Corporations—Leading Article Stock—Sales—Transfer—Trust Agreement Stock—Transfer—Suit to Compel Transfer. The Residence of a Corporation. Ultra Vires Contracts	220 874 629 1 60 60
CORPORATION COMMISSION. See RAILROADS.	
COSTS. See APPEAL AND ERROR; CLERKS OF COURT: NEW TRIALS. Action against State—Persons Liable—Public Officers. Award—Operation—Res Judicata Fee Bill—Presumption of Correctness. Imposition—Discretion of Court Order to Retax	138 138 918
COUNCIL. See MUNICIPAL CORPORATIONS.	
COUNTIES. See BRIDGES. Claims—Interest Claims—Disallowance—Appeal—Filing Plea of Offset Claims against County—Effect of Allowance	838
COUNTS. See INDICTMENTS AND INFORMATIONS.	
COURTS. See CHAMBERS AND VACATION; JURISDICTION. Establishment—Validity of Statute—Trial Justices218,	219

COVENANTS.

See INJUNCTIONS.	
CRIMINAL LAW. See APPEAL AND ERROR; CONFESSIONS; CONTINUANCES; DEMURRER; HOMICIDE; INSTRUCTIONS; JURY; LICENSES; REASONABLE DOUBT; REFORM OF THE LAW; VENUE; WITNESSES. Editorial—Failure to Testify and Challenges of Jurymen 78:	9
Editorial—Reform in Criminal Law and Procedure	2
CROSS BILL. Wife's Separate Answer as Cross Bill—Fraudulent Conveyance 56	6
CROSSINGS.	
Care Required of Travelers—Contributory Negligence 288 Collisions at Crossings—Negligence	3
Negligence216Injuries to Person at Crossing—Negligence—Evidence288Railroads—Highway Crossings—Duty to Travelers216	3
CURB TAX.	
See LICENSES.	
DAMAGES.	
See EMINENT DOMAIN; INJUNCTIONS; SPECIFIC PERFORMANCE; WARRANTIES.	
Adequacy of Damages—Condemnation Proceedings—Review. 103 Contemplated Consequences	
DEATH.	
See PRESUMPTIONS AND BURDEN OF PROOF. Presumption—Absentee Seen Alive—To What Time Proof	
Relate	
Presumption—Evidence of Single Witness—Sufficiency 616 Presumption—Evidence to Aid or Rebut Presumption—Cir-	
cumstances of Disappearance 616	

DEATH—Continued.	
Presumption of Death—An Unmarried Woman Determined Statutory Presumption—Title Dependent upon Survivorship—	
Burden of Proof	616
DEATH BY WRONGFUL ACT.	
Contributory Negligence-Pleading-Proof678,	756
DECEIT. See FRAUD AND DECEIT.	
DECLARATIONS AND ADMISSIONS.	
Insurance—Declarations of Insured—Admission against Beneficiary	944 944 87
Stipulations in Trial Court—Appeal and Error	
DECREES.	
See JUDGMENTS AND DECREES.	
DEEDS.	
See HUSBAND AND WIFE; PAROL EVIDENCE; RE- CORDING ACTS; RESCISSION, CANCELLATION AND REFORMATION. Consideration	604
	137
Construction—Consideration—Variance between Deed and	
Contract	
Construction—Estates Conveyed—Fee Simple	
Construction—Intention of Parties	682
Construction—Meaning of Words	
Construction—Technical Words	
Delivery—Necessity	
Delivery—Acts Constituting	
Delivery—Delivery to Third Person	
Delivery—Question of Law or Fact	
Delivery—Questions for Jury	
Delivery—Sufficiency of Evidence	777
Failure of Consideration—Support and Maintenance—Relief	694
DEEDS OF TRUST.	
See MORTGAGES AND DEEDS OF TRUST.	

DELIVERY.	
See DEEDS.	
DEMURRAGE.	
See CARRIERS.	
DEMURRERS.	
Admissions	740
Right to Demurrer or Reply	
DEMURRER TO THE EVIDENCE.	
See APPEAL AND ERROR.	
Admissions	
Editorial—Trial by Jury in the Federal Courts—The VIIth	
Amendment	
Grounds—Specification—Waiver	901
Rule of Decision	
Trial—Determination	773
DEPOSITIONS.	
See RULES OF COURT.	
Notice—Service—Mode of Service—Mail	
Notice—Service—Party	57 57
DEPOSITS.	
See BANKS AND BANKING.	
DEPUTY CLERK.	
See CLERKS OF COURT.	
DESERTION.	
See DIVORCE; HUSBAND AND WIFE.	
DETECTIVES.	
Actionable Shadowing	155
DIRECTING ISSUES.	
See ISSUES TO THE JURY.	
DISMISSAL, DISCONTINUANCE AND NONSUIT.	
Power of Clerk—Declaration—Failure to File—Time	855
Power of Clerk—Statutes	855
DISORDERLY HOUSE.	
Gaming—Nuisance	141

INDEX.	987

DIVORCE.
See ALIMONY; MARRIAGE.
Actions—Jurisdiction
Actions—Nonresident
Grounds—Consumption as Ground for Divorce
Grounds—Desertion
Raising Residence Requirement for Divorce 157
Where Wife and Mother-in-Law Do Not Agree 478
DOCTORS.
See PHYSICIANS AND SURGEONS,
DOCUMENTARY EVIDENCE.
Documents—Best and Secondary Evidence 847
DOMICIL.
See CORPORATIONS; DIVORCE.
DOWER.
Admeasurement—Parties 383
Release—Settlement on Wife—Consideration
Right of Dower-Property Subject to Dower 132
DRAINS AND SEWERS.
Sewer Contract—Construction—Extra Work361
Sewer Contract—Extra Excavation—Knowledge of City 361
Sewer Contract—City Engineer—Authority—"Extra" 361
DUE PROCESS OF LAW.
See CONSTITUTIONAL LAW.
DUPLICITY.
See INDICTMENT AND INFORMATION.
EASEMENTS.
Right of Way-Obstruction-Injunction 463
EDITORIAL.
A Big Day in the Supreme Court of the United States 222
A Curious Complication
Aerial Navigation
And Talking of Legislation
A Remarkable Appeal
A Warning to Newspapers
Blasphemy 710

EDITORIAL—Continued.	
Confessions of Third Parties as Evidence in Favor of a Person	
on Trial	706
Decisions by Our Supreme Court of Appeals at the Staunton,	
September, 1913, Term	
"Doing Business" by a Foreign Corporation	386
Enect of creating eneck.	71
Eminent Domain—Elements of Value	228
"Executed" as a Return on Process	701
Failure to Testify and Challenges of Jurymen	789
Judge Kelly	866
Law Reform	866
Lawyers in the Limelight	68
Legal Aid for Poor People	787
Legislation and University Aid	221
Legislative Reference Bureau	865
Liability of Landlord for Defective Stairways	951
Liability of Surgeons for Operations Performed without the	
Consent of the Patient	703
Meeting of the American Bar Association at Montreal	465
Migratory Birds as Engaged in Interstate Commerce-Hunt-	
ers Had Better Take Notice	634
Moral Turpitude	790
	949
	62
114 Virginia	464
and the same of th	
	61
Our New Associate	
"O Wad Some Power!"	144
Pure Food as between the State and the United States-Orig-	0 1.0
inal Packages	148
Reasonable Doubt65,	
D (63
Reform in the Jury System in Great Britain	
Robert H. Talley, Esq., Federal District Attorney-Nine	002
Years' Service	67
Secondary Authority	
Service of Process on Corporations	871
Surgical Operations upon Children	705
Telephonic Trespass	950
The California Plan	700
The Decline in Litigation	102

EDITORIAL—Continued.	
The English Statute of Contempt by Publication of Comments	
on a Pending Case	
The Evil of Many Laws	
The Federal Employers' Liability Act—A Note of Warning	
The Last Bar Examination301,	633
The Last Echo of Civil Rights	307
The Law and the Liquor	870
The Meeting of the Bar Association July, 1913	385
The New Obligation upon Lawyers	468
The 1914 Session of the General Assembly	781
The Present Session of the General Assembly	864
The Reckless Motorist as a Felon	388
The Report of the Attorney General	873
The Report on Legal Reform at the Last Virginia State Bar	
Association	469
The Right to Dispose of Property by Will	
The Session of Our Supreme Court of Appeals at Wytheville	304
The Small Compensation Attached to the Judicial Office	231
The State and the United States in Regard to Fees of an Offi-	
cer Acting for Both	
The States and the Corporations	
The Virginia Law Review	
The Virginia State Bar Association	300
The Virginia Supreme Court Sustained	
Trial by Jury	392
Trial by Jury amongst the Nations of the World	547
Trial by Jury in the Federal Courts-The VIIth Amendment	142
United States Decisions as Authority in England	389
What Are "Necessitous Circumstances?"	630
What's the Remedy?	953
When Should a Statute Be Construed by a Court of Last	
Resort?	302
White Slave Act	471
Why "Sabbath"	709
EDUCATION.	
See EMINENT DOMAIN.	
ELECTRENT	
EJECTMENT.	
Defense—Failure to Claim Title—Effect	534
Defenses—Outstanding Title	462
Evidence—Identity of Land	435
Prior Possession of Plaintiff	534
Title of Plaintiff	
Trial—Instructions	462

ELECTIONS.	
Contest-Admissibility of Evidence-Treasurer's List 89	90
Contest—Pleading—Complaint—Sufficiency of Allegations 89	90
Contest—Power of Court to Consider Rejected Votes 89	9(
Fraud—Presumptions and Burden of Proof 89)(
Issuance of County Bonds for Road or Bridge Improvement	
under Act of February 25, 1910-Form and Requisites of	
Order for Election 1	16
Local Option Elections 74	16
Local Option Elections—Signature to Petition 74	
Official Ballot-Ballots Not Sealed 89	90
Qualification of Voters-Illegal Registration 89)(
Qualification of Voters—Payment of Poll Taxes—Certified List	
of Treasurer 89)(
Qualifications of Voters—Power of Legislature to Prescribe 27	71
Qualification of Voters—Residence	90
"Rejected Voters" 89	9(
Treasurer's List-Addition of Names by Clerk-Burden of	
Proof	9(
ELECTRICITY.	
Liability for Injuries to Licensees and Trespassers 77	7 5
EMINENT DOMAIN.	
Compensation—Removing Lumber 10)3
Compensation—Riparian Rights 93	
Condemnation Proceedings - New Trial - After-Discovered	
Evidence 10	3
Condemnation Proceedings—Review—Adequacy of Damages. 10	
	15
Damages—Instructions	
Editorial—Elements of Value	
"Property" 10	
Right to Exercise Power	
State Institutions—"Buildings"—"Proceedings"—Statutes 4	
EMPLOYERS' LIABILITY ACT.	
See MASTER AND SERVANT.	
EQUITY.	
See ADEQUATE REMEDY AT LAW; BILL OF RE-	
VIEW; ESTOPPEL; INJUNCTIONS; ISSUES TO	
THE JURY; JURISDICTION; MULTIFARIOUS-	
NESS; REFERENCE; RESCISSION, CANCELLA-	

EQUITY —Continued.	
TION AND REFORMATION; RULES OF COURT;	
SPECIFIC PERFORMANCE; WITNESSES.	
Deed as Mortgage—Suit to Declare—Laches—Loss of Evi-	
dence	
Pleading—Objections to Bill—Multifariousness	
Report of Commissioner—Weight	935
Taken in Open Court	81
Trial—Directing Issues—Evidence	
See APPEAL AND ERROR.	
ESTATES.	
See DEEDS; JOINT TENANTS AND TENANTS IN	
COMMON; MARRIAGE CONTRACTS AND SETTLE-	
MENTS. Insurance—Duty of Life Tenant	540
Interest on Incumbrances—Liability	
Interest on Incumbrances—Liability of Tenant	
Life Estate—"Heirs"	137
ESTOPPEL.	
See BANKS AND BANKING; FRAUDULENT AND	
VOLUNTARY CONVEYANCES: HUSBAND AND	
WIFE.	
Equitable Estoppel—Persons to Whom Available	838
Equitable Estoppel—Street Railroads—Repair of Streets	276
Estoppel on Appeal—Admissions in Trial Court	937
Persons Estopped to Question Reasonableness of Ordinances	427
EVIDENCE.	
See BEST AND SECONDARY EVIDENCE; EXPERT	
AND OPINION EVIDENCE; JUDICIAL NOTICE;	
PAROL EVIDENCE; PEDIGREE; PRESUMPTIONS	
AND BURDEN OF PROOF; RES GESTÆ. In addition,	
see the specific titles throughout index.	
Admissibility—Certificate of State Chemist—Cider	943
Character—Admissibility of Evidence	
Habit, Evidence of	
Impeachment—Contradictory Statement	
Joint Indorsement—Agreement between Indorsers—Statutes	
Res Gestæ—Declarations of Testator	
Weight and Sufficiency—Affirmative and Negative Testimony.	
5	

EXCHANGE OF PROPERTY.	
Exchange of Real Property—Rescission—Fraud	690 690
EXCEPTIONS AND OBJECTIONS.	
See REFERENCE.	
EXCEPTIONS, BILL OF.	
Allowance of Bill of Exceptions by Successor of Trial Judge Sufficiency—Review	
EXECUTIONS.	
Levy-Suggested Change	795
EXECUTORS AND ADMINISTRATORS.	
Assets—Death Benefit—Insurable Interest Credits—Interest on Incumbrances Expenditures—Taxes Payment of Debts—Sale or Incumbrance of Real Estate Sale of Property—Proceeds—Distribution	540 540 275
EXPERT AND OPINION EVIDENCE.	
Expert and Opinion Evidence-Locomotive Engineering	216
EXPRESS COMPANIES.	
See INTERSTATE COMMERCE.	
FEE BILL.	
See COSTS.	
FEES.	
See ATTORNEY AND CLIENT; CLERKS OF COURT.	
FELLOW SERVANTS. See MASTER AND SERVANT. Who Are Fellow Servants—Railroad Employees	928
FENCES.	
Abatement of a Fence as a Nuisance Eminent Domain—Removing and Replacing Fences	
FIRE INSURANCE.	
See INSURANCE.	
Actions—Instructions	909
Contract—Parol Evidence to Vary—Admissibility	909
Life Estates—Duty of Life Tenant	54U 909
Notice of Assessment-Waiver	909
Waiver of Forfeiture	909
Warning to Claim Adjusters	792

FIRES.	
Railroads—Evidence	688
FISH AND FISHERIES.	
Fish in Waters over Submerged Land	712
FIXTURES.	
Rock and Earth Placed on Land	194
FOOD.	
See ADULTERATION; INNS AND INNKEEPERS.	
FOREIGN CORPORATIONS.	
Editorial—"Doing Business" by a Foreign Corporation	386
FORMER ADJUDICATION OR RES ADJUDICATA.	
Costs—Award—Operation	138
Judgment—Conclusiveness384,	852
Judgment-Persons Bound-Representation	918
Judgment—Prior Proceedings	
Wills—Construction—Judgment—Conclusiveness	918
FRAUD AND DECEIT.	
See ELECTIONS; FRAUDS, STATUTE OF; FRAUDU-	
LENT AND VOLUNTARY CONVEYANCES; LIFE	
INSURANCE: MARRIAGE; STOCK AND STOCK-	
HOLDERS; STREETS AND HIGHWAYS. Deceit—Duty to Investigate	691
	691
	691
Evidence—Sufficiency	
· · · · · · · · · · · · · · · · · · ·	
• •	
False Representations—Duty to Inquire	
Proof of Fraud-Sufficiency of Circumstantial Evidence	890
Spurious American Degrees in Germany	959
FRAUDS, STATUTE OF.	
Contracts—Memorandum	
Editorial—Parol Agreement and Negotiable Instruments Law.	785
Promise to Answer for Debt of Another-Indemnity Agree-	
ment between Indorsers	847
FRAUDULENT AND VOLUNTARY CONVEYANCES.	
Consideration—Evidence	56
Estoppel—Conveyance to Wife	56
Estoppel to Attack Conveyance	
Husband and Wife—Burden of Proof	56
Settlement for Wife-Vacation-Burden of Proof	133

GAME AND GAME LAWS.	
See FISH AND FISHERIES. Editorial—Migratory Birds as Engaged in Interstate Com-	
merce—Hunters Had Better Take Notice	
GAMING.	
See JUDICIAL NOTICE. Criminal Prosecutions—Evidence	932
Disorderly House—Nuisance	
Indictment and Information—Duplicity—Videlicet—Construc-	
GENERAL ASSEMBLY.	
Editorial—What's the Remedy? (Bills Passed at Session 1914).	953
GRAND JURY.	
Proceedings—Presence of Attorney for Commonwealth	
Qualifications—Supervisor	
GUARANTY.	
Action-Joinder of Action-Indorser and Guarantor of Note	912
Bills and Notes-Action-Evidence	
Construction of Contracts	
Instructions—Sufficiency	912
GUARDIAN AND WARD.	
See INSANITY.	
"Guardian De Facto"—"Guardian De Son Tort"	860
HABEAS CORPUS.	
Matters Determined—Title to Office—Validity of Statute	219
HAND BILLS.	
See MUNICIPAL CORPORATIONS.	
HARMLESS ERROR.	
See APPEAL AND ERROR.	
HEIR, HEIRS AND THE LIKE.	
Deeds-Construction-Life Estate-"Heirs"	137
HIGHWAYS.	
See STREETS AND HIGHWAYS.	
HOLOGRAPHIC.	
See WILLS.	

HOMICIDE.	
Diodd Money in Tersia	157
Evidence—Sufficiency	299
Jury of Matrons	797
Manslaughter—Defenses—Attempt to Alleviate Pain	958
Murder by Stabbing Causing Pneumonia	875
Resisting Unlawful Arrest—Burden of Proof	
Self-Defense against Burglars	
Status of Suicide as a Crime—Leading Article	041
HORSE RACING.	
Intimations of Ben Hur	877
HOSPITALS AND ASYLUMS.	
See STATES.	
HOTELS.	
See INNS AND INNKEEPERS.	
HUSBAND AND WIFE.	
See DOWER; FRAUDULENT AND VOLUNTARY	
CONVEYANCES; MARRIAGE CONTRACTS AND SETTLEMENTS; SEPARATE ESTATE OF MARRIED	
WOMEN; WITNESSES.	
Biting by Wife Justifies Self-Defense	794
Conveyance by Husband—Joiner by Wife	
Coverture—Equitable Estoppel	
Editorial—Our "Desertion Statute"	
Editorial—What Are "Necessitous Circumstances?"	
Injunction against Alienated Affections	715
Nonsupport—Detenses	695
Nonsupport—Evidence	
Nonsupport—Prosecution—Motive of Complaint	
Where Wife and Mother-in-Law Do Not Agree	478
ILLEGAL CONTRACTS.	
Bills and Notes-Provisions as to Attorney Fee-Public Policy.	122
Legality of Sale of Property to Colored Persons	154
IMMIGRATION.	
Editorial-Moral Turpitude	790
IMMUNITIES.	
See CIVIL RIGHTS.	
INCOME TAX.	
See TAXATION.	

INDEMNITY.

See FRAUDS, STATUTE OF.	
INDICTMENT AND INFORMATION. See INTOXICATING LIQUORS.	950
Allegations—Second Offense	299
solvent	52 52
Duplicity—Videlicet—Construction	
Form and Requisites—Allegation of Time—Surplusage	
Nonessential Averments—Surplusage	358
Statutory Offenses—Language of Statute	
Sufficiency	358
INFANTS.	
See GUARDIAN AND WARD.	
Adverse Holding-Merger of Title	
Contracts—Necessaries	860
Contracts—Actions to Disaffirm—Evidence—Sufficiency	852
INHERITANCE TAX.	
See SUCCESSION TAXES.	
INJUNCTIONS.	
Actions on Bond—Damages	681
Actions on Bond—Damages—Excessive Damages	
Actions on Bond—Right of Action—Dissolution of Injunction.	681
Adequate Remedy at Law-Equity-Negative Covenants	940
Injunctions against Alienated Affections	
Injunctions against Roving Chickens	799
Obstruction of Right of Way	463
Restraining Sale of Property to Colored Persons	154
	940
INNS AND INNKEEPERS.	
Liability for Lost Luggage-Termination of Relation of Inn-	
keeper and Guest—Contributory Negligence	74
Liability of Restaurant for Serving Tainted Food	309
INSANITY.	
See WILLS.	
Presumption against Insanity	842
Proof of Insanity—Insanity of Relatives	842

INSANITY—Continued.	
Right of Action—Guardian	862
Suit—Parties	862
INSOLVENCY.	
See BANKS AND BANKING; FRAUDULENT AND	
VOLUNTARY CONVEYANCES.	
INSTRUCTIONS.	
See APPEAL AND ERROR.	
Abstract Instructions	766
Applicability to Case	
Applicability to Evidence57,	
Applicability to Issue	
Applicability to Issues—Injuries to Passengers	
Construction	
Cure by Other Instructions	
Evidence to Support	928
Ignoring Evidence	
Ignoring Issues	
Inconsistency	858
Misleading Instruction	
Other Instructions Covering Same Point	838
Refusal-Instructions Ignoring Evidence	216
Refusal of Instructions	678
Refusal of Instructions—Province of Court—Jury	756
Refusal—Repetition	928
Requested Instructions—Modification	683
Requests—Applicability to Evidence	937
Request to Charge—Repetition of Instructions	766
Request to Charge—Sufficiency of Instructions	912
INSURABLE INTEREST.	
See EXECUTORS AND ADMINISTRATORS; INSUR-	
ANCE.	
INSURANCE.	
See BENEFICIAL AND BENEVOLENT ASSOCIA-	
TIONS; FIRE INSURANCE; LIFE INSURANCE; MU-	
TUAL INSURANCE.	
Action—Instructions—Form of Instructions	909
Beneficial Association—Interest in Fund	524
"Insurable Interest"—Corporation's Interest in Officer's Life.	927
INTEREST.	
See ESTATES; EXECUTORS AND ADMINISTRATORS.	
Claims against Counties	
Promise to Pay—Implication	922

998 index.

INTERNATIONAL LAW.	
Editorial—A Curious Complication	948
INTERSTATE COMMERCE.	
See ADULTERATION; MASTER AND SERVANT. Editorial—Migratory Birds as Engaged in Interstate Commerce—Hunters Had Better Take Notice Editorial—Pure Food as between the State and the United	634
States—Original Packages	148
The Federal and State Regulation—Leading Article	
The Minnesota Rate Cases—Leading Article	
Tax	211
INTOXICATING LIQUORS	
Certificate of State Chemist—Cider—Evidence	
Editorial—The Law and the Liquor	
Illegal Sale—Indictment—"Whiskey"	
"Liquor"	
Offenses—Indictment	
tions	
Law—Offenses—Jurisdiction	
INTRASTATE COMMERCE.	
See MASTER AND SERVANT.	
ISSUES TO THE JURY.	
When Proper—Evidence	133
JOINT TENANTS AND TENANTS IN COMMON.	
See PARTITION.	
Conveyance by Cotenant	
Conveyance by Cotenant to a Stranger—Ouster	
Conveyance of Interest by One—Effect	
Conveyance under Warranty Deed—Adverse Possession Mines and Minerals—Severance from Surface—Joint Tenants.	769
Possession of Cotenant—Adverse Possession	760
Tenancy in Common—Incumbrances on Land—Purchase by Cotenant	
IUDGES.	-
•	0 50
Age Limit for Judges797,	959

JUDGES—Continued. Allowance of Bill of Exceptions by Successor of Trial Judge Editorial—The Small Compensation Attached to the Judicial	75
Office JUDGMENTS AND DECREES. See ASSIGNMENTS FOR THE BENEFIT OF CREDIT- ORS; FORMER ADJUDICATION OR RES ADJUDI- CATA.	231
JUDICIAL NOTICE.	
Judicial Knowledge of PokerLocal Conditions	
JUDICIAL SALES AND RENTINGS.	
See TRUSTS.	
Interests Conveyed	
Resale—Advance Bid	
JURISDICTION. See APPEAL AND ERROR; APPEARANCES; DI- VORCE.	
Courts—Amount in Controversy—Bond—Penalty Equity—Attachment—Concurring Jurisdiction of Courts of	126
Law	
Equity Jurisdiction—Lost Instruments—Bonds	
Raising Question—Time to Plead	355
JURY.	
See GRAND JURY; NEW TRIAL.	
Editorial—Challenges of Jurymen	
Editorial—Reform by Jury System in Great Britain	
Editorial—Trial by Jury Editorial—Trial by Jury Amongst the Nations of the World	
Editorial—Trial by Jury in the Federal Courts—The VIIth	347
Amendment	142
Impaneling—"Intentional Irregularities"	686
Impaneling—Objections—Time to Make	686
Impaneling—Presence of Commonwealth's Attorney	686
Impaneling—Statutory Provisions	
Jury of Matrons	
Special Jury—Discretion	941
Summoning Jury from Another County—Motion—Time to Make	600
Summoning Jury from Another County or Corporation—	083
Grounds	683

JURY—Continued.	
Summoning Jury—Motion to Summon Jury from Another County—Discretion of Court	
JUSTICES OF THE PEACE. See MUNICIPAL CORPORATIONS.	
KELLY, JUDGE JOSEPH L. Editorial	866
LABORER'S LIENS. See MECHANICS' LIENS.	
LACHES. See EQUITY; STOCK AND STOCKHOLDERS.	
LANDLORD AND TENANT. See MINES AND MINERALS; PARTITION. Attachment for Rent Not Due—Right of Action Construction of Lease—Construction against Lessor Construction of Lease—Intent of Parties Constructive Eviction of Tenant by Rats Editorial—Liability of Landlord for Defective Stairways Improvements by Tenant—Actions—Pleading Improvements by Tenant—Actions for Compensation—Parties. Improvements by Tenant—Liability of Landlord Liability for Rent—Property of Undertenant—Attachment Order in Attachment—Construction—Personal Judgment Purpose of Use—Implied Restrictions LAW GOVERNING. See CONFLICT OF LAWS.	771 478 951 924 924 924 907 907
LEGISLATURE. See GENERAL ASSEMBLY.	
LIBEL AND SLANDER.	
Editorial—A Warning to Newspapers	631
LICENSE.	
See INTERSTATE COMMERCE. Criminal Prosecutions—Doing Business As Merchant without License Markets—Curb Tax Produce Venders—Curb Tax	766 382

LIENS.
See ALIMONY; ASSIGNMENTS FOR THE BENEFIT OF CREDITORS; MECHANICS' LIENS; MORT-GAGES AND DEEDS OF TRUST. Priorities—United States—Vessels—RecordNecessity 38-
LIFE ESTATES. See ESTATES.
LIFE INSURANCE.
See EXECUTORS AND ADMINISTRATORS. Accidental Death—Suicide—Presumptions
reditary Disease"
Insurer 842 Defenses—Suicide 842
Defenses—Suicide—Burden of Proof
Evidence—Admissions—Interest
ficiary 944
Forfeiture Provisions—Construction
Fraud—Answers Willfully False
Nonforfeiture and Loan Provisions—Construction—Effect 662
Proof of Insanity—Insanity of Relatives
LIMITATION OF ACTIONS.
Actions for Nuisance
Defenses—Burden of Proof 530
Nuisances—Continuing Injury 530
LIVERY STABLE KEEPERS.
Damages for Having to Go to a Wedding in a Street Car 397
LOCAL OPTION.
See INTOXICATING LIQUORS; ELECTIONS.
LOGS AND LOGGING. Sale of Timber Land—Notice—Sufficiency of Evidence 54
LOST INSTRUMENTS.
See ADVERSE POSSESSION; WILLS.
Bonds—Equity Jurisdiction 126
Evidence of Execution, Loss and Contents-Sufficiency 777

MAINTENANCE.	
See SUPPORT AND MAINTENANCE.	
MANSLAUGHTER.	
See HOMICIDE.	
MARKET VALUE.	
See EMINENT DOMAIN.	
MARRIAGE.	
See MARRIAGE CONTRACTS AND SETTLEMENTS.	
Common-Law Marriage	
Fraud in Marriage Contracts	714
In re Engagement Ring	717
Marriage of Free Negroes	
Marriage of Negroes-Statutes	
Marriage of Slaves	
Unmarried Women Defined	153
MARRIAGE CONTRACTS AND SETTLEMENTS.	
Antenuptial Settlements	
Antenuptial Settlements—Estates Conveyed	918
Antenuptial Settlements—Construction	
Fraudulent Conveyances-Vacation-Burden of Proof	133
Release of Dower-Consideration	133
MASTER AND SERVANT.	
See FELLOW SERVANTS.	
Assumption of Risk	915
Assumption of Risk-Distinguished from Contributory Negli-	
gence	
Assumption of Risk—Federal Employer's Liability Act	
Assumption of Risk—Inexperienced Servant	
Assumption of Risk-Questions of Law and Fact	
Contributory Negligence537,	
Contributory Negligence—Dangerous Place	
Contributory Negligence—Scope of Employment	858
Contributory Negligence—Questions for Jury	858
Contributory Negligence—Evidence	915
Creation of Relation—Implied Contract	860
Damages—Excessive Recovery Defective Machinery	928
Evidence—Admissibility	037 670
Evidence—Admissibility—Reputation	756
Evidence—Parol Evidence—Railroad Rules	190
Evidence—Sufficiency	849
2	4

MASTER AND SERVANT—Continued.	
Evidence—Sufficiency—Negligence	849
Injury to Railroad Employee-Control of Engine	928
Master's Duties	849
Master's Duties-Education of Infant Servant	860
NegligenceProof	849
Negligence under the Employers' Liability Act—Leading Article	811
Pleading-Declaration-Affirmative Defense	928
Pleading—Declarations—Sufficiency537,	740
Pleading—Federal Employer's Liability Act—Declaration—Sufficiency	740
Pleading—Injury to Car Repairer—Instructions—Evidence to Support	928
Pleading—Injury to Car Repairer—Petition	
Pleading—Injury to Car Repairer—Petition—Sufficiency	
Pleading-Injury to Railroad Employee-Declaration-Suffi-	
ciency	
Safe Place to Work	
Safe Place to Work—Neglect of Nonassignable Duty—Injury	000
to Car Repairer	928
Safe Place to Work-Warning of Danger-Duty of Foreman	<i>3</i> 0
-Ignorance of Servant-Evidence	915
Services and Compensation—Master's Obligation	860
The Federal Employers' Liability Act—A Note of Warning— Editorial	
The Federal Employers' Liability Act—Leading Article	~~T
171, 248, 334, 405, 502,	504
The Federal Employers' Liability Act—Quære	
Time Clock Need Not Be Punched	
Warning Servant	
Who Gets the Tips?	
MASTERS IN CHANCERY.	
See REFERENCE; RULES OF COURT.	
MECHANICS' LIENS.	
Perfection—"Account"—"Thing"—"Matter"	
Priority between Purchase Money and Laborer's Liens Proceedings to Perfect—Affidavits—Sufficiency	
MERGER OF TITLE	
See INFANTS.	

MINES AND MINERALS.	
See ADVERSE POSSESSION; TAXATION.	
Lease-Purpose of Use-Intention of Parties	771
Lease—Purpose of Use—Restrictions in Lease	
Lease of Mine-Purpose of Use-Incidental Use	
Serverance and Surface—Joint Tenants	769
MORTGAGES AND DEEDS OF TRUST.	
See FRAUDULENT AND VOLUNTARY CONVEY-ANCES; MECHANICS' LIENS; RECORDING ACTS.	
Deed as Mortgage—Presumption—Evidence Priority between Purchase Money and Laborer's Liens—Lead-	
ing Article	
Placed on Land	
MOTIONS.	
See PLEADING.	
Motion for Judgment—"Money Due on Contract"	
Time to Plead	
Motion for Judgment under § 3211 of the Code—Nature of Remedy	
Motion for Judgment under § 3211 of the Code—Pleading — Necessity for Alleging Residence of Defendant	
Motion for Judgment under § 3211 of the Code—Venue—Appearance as Waiver	
MULTIFARIOUSNESS.	
Dismissal of Bill on Its Own Motion	911
Independent Claims	
What Constitutes	911
MUNICIPAL CORPORATIONS.	
See BRIDGES. Consolidation of Municipalities—Charter—Repeal by General	
Law	
Council—Vacancy—Repeal of Statute—"Municipal Officers"	
Distribution of Hand Bills and Circulars Barred	234
Editorial-Member of City Council as a Municipal Officer	
Ordinances—Admissibility of Evidence	
Ordinances—Interference by Courts—Fraud or Abuse of	
Powers	
CALUMANTES—CERSONS ESTONDED TO UNJESTION RESCONSINENESS	427

MUNICIPAL CORPORATIONS—Continued.	
Ordinances—Reasonableness—Power of Courts to Declare	
Ordinances Unreasonable	427
Ordinances—Reasonableness—Province of Court and Jury	42 8
Ordinances-Restrictions Imposed by Segregation Ordinance	
Held to Be Reasonable	427
Ordinances—Segregation of Races—Impairment of Obligation	
of Contract	553
Ordinances—Segregation—Delegation of Power to Residents	
and Lot Owners	427
Ordinances-Segregation-Effect of Subsequent General Stat-	
•	427
Ordinances—Segregation—Express Authority—As an Exer-	
cise of Police Powers Conferred by General Statute	427
Ordinances—Street Railroads—Repair of Streets—Power of	
City Council	276
Police Courts—Jurisdiction—Claims Involving Title to Real	
Property	38
Police Justices—Jurisdiction—Claims Involving Title to Real Estate—"Expressly"	38
Powers—Additional Powers under General Statutes	
Powers Enumerated	427
Public Improvements—City Engineer—Authority—"Extra"	361
Sewer Construction—Extra Excavation—Knowledge of City	361
Sewer Contract—Construction—Extra Work	361
MUNICIPAL, STATE AND COUNTY AID.	
Issuance of County Bonds for Road or Bridge Improvement	
under Act of February 25, 1910-Form and Requisites of Or-	
der for Election	16
Issuance of County Bonds for Road or Bridge Improvement under Act of February 25, 1910—Nature of Proceedings un-	
der Statute	16
	10
MURDER.	
See HOMICIDE.	
MUTUAL INSURANCE.	
See FIRE INSURANCE.	
Action—Instructions—Form of Instructions	
Fire Insurance—Actions—Instructions	
Fire Insurance—Mutual Companies—Notice of Assessments Fire Insurance—Notice of Assessment—Waiver	909
rne insurance—Notice of Assessment—waiver	909

NATIONAL FOOD AND DRUG ACT.

See ADULTERATION.	
NAVIGABLE WATERS.	008
Eminent Domain—Riparian Rights—Compensation Fish in Waters over Submerged Land	
NEGLIGENCE.	
See ANIMALS; AUTOMOBILES; BAILMENTS; CAR- RIERS: CROSSINGS; INNS AND INNKEEPERS; MASTER AND SERVANT; RAILROADS; STREET RAILROADS.	
Actions—Assumption of Risk	
Actions—Presumptions and Burden of Proof	
Care Required as to Licensee	
Care Required as to Trespassers	
Contributory Negligence—Application of Doctrine	
Contributory Negligence—Comparative Negligence	
Contributory Negligence—Pleading—Proof	756 756
Injuries to Third Person—Dangerous Premises—Use of Prem-	
ises—Invitee	
Injury from Being Hit by a "Foul Ball"	
Negligence and the Employers' Liability Act—Leading Article. Pleading—Declarations—Sufficiency	
Proximate Cause	928
NEGOTIABLE INSTRUMENT LAW.	
See BILLS, NOTES AND CHECKS.	
Consol. Laws 1909, c. 38 (N. Y.), art. 3, § 21	123
NEGROES.	
See CARRIERS; CEMETERIES; INJUNCTIONS; MARRIAGE; SEGREGATION OF THE RACES.	
NEWSPAPERS.	
See CONTEMPT.	
Editorial—A Warning to Newspapers	631
NEW TRIAL.	
See APPEAL AND ERROR.	
Condemnation Proceedings—After-Discovered Evidence	
Conditional Refusal	
Discretion of Lower Court	

·
NEW TRIAL—Continued.
Grounds—Credibility of Witnesses
Grounds—Verdict Contrary to Weight of Evidence 38:
Newly-Discovered Evidence—The Barren May Bear Fruit 553 Questions Reviewable—Motions—Depending on Conditions at
Time of Trial
NONSUPPORT OF WIFE.
See HUSBAND AND WIFE.
NORMAL SCHOOL.
See EMINENT DOMAIN.
NOTES.
See BILLS, NOTES AND CHECKS.
NOTICE.
See ASSIGNMENTS FOR THE BENEFIT OF CRED- ITORS; STOCK AND STOCKHOLDERS; SUMMONS AND PROCESS.
Burden of Proof
NUISANCES.
See ANIMALS; DISORDERLY HOUSES; GAMING.
Abatement of a Fence as a Nuisance 95
Continuing Injury—Limitation of Actions
Limitation of Actions
Private Nuisance—Declaration—Recovery
OFFICERS AND AGENTS OF PRIVATE CORPORATIONS.
See BANKS AND BANKING.
Bank President—Authority 21
Directors—Duties—Proper Performance 679
OPTION.
See VENDOR AND PURCHASER.
Acceptance—Compliance with Terms 85
ORDER OF PROOF.
See APPEAL AND ERROR.
Rebuttal Testimony92

ORDERS OF COURT.	
Executors and Administrators—Sale of Property—Finality of Decree	139
ORDINANCES.	
See MUNICIPAL CORPORATIONS; NEGLIGENCE; RECORDS.	
ORIGINAL PACKAGES.	
See INTERSTATE COMMERCE.	
PAROL EVIDENCE.	
Consideration in Deed	785 909 836 928
PARRISH, ROBERT LEWIS.	
Leading Article 5	61
PARTIES. See INSANITY; SUMMONS AND PROCESS. Dower—Admeasurement	
PARTITION.	
Assigning Shares Together—Statute 1 Division of Lands—Commissioners 1 Joint Purchase—Provision 1 Report of Commissioner—Objections 1 Tenants in Common—Lease 1	111 116 111
PATENTS AND TRADEMARKS.	
Right of Owners of Patent to Control Retail Price Denied 2	34
PAUPERS. Editorial—Legal Aid for Poor People	87
PAYMENT.	
Application of Payments215, 2	16
PEDIGREE.	
Pedigree Declarations—Competent Declarants	
T CUIRTEC DECIAFATIONS—Persons Living	41

INDEX.	1009

PENSIONS.	
Confederate Pensions—The Lost Cause	715
PERSONAL PROPERTY. Rock and Earth Placed on Land	194
PHYSICIANS AND SURGEONS.	
Doctor Need Not Cure Editorial—Liability as Physicians Editorial—Surgical Operations upon Children Spurious American Degrees in Germany	703 705
PLEADING.	
See AMENDMENTS; BILL OF PARTICULARS; DE- MURRERS DEMURRER TO THE EVIDENCE; DIS- MISSAL, DISCONTINUANCE AND NONSUIT; MO- TIONS; MULTIFARIOUSNESS; AND THE SPE- CIFIC SUBJECTS THROUGHOUT INDEX.	
Criminal Law—Plea—Right to Demurrer to Reply Declaration—Sufficiency of Allegations	
Motion for Judgment—"Money Due on Contract"	361
Time to Plead	
Motion for Judgment under § 3211 of the Code—Pleading— Necessity Alleging Residence of Defendant	
Motion for Judgment under § 3211 of the Code—Venue—Appearance as Waiver	3 55
PLEDGE AND COLLATERAL SECURITY.	
Stock-Foreclosure-Suit to Compel Transfer	60
POKER.	
See JUDICIAL NOTICE.	
POLICE COURTS. See MUNICIPAL CORPORATIONS.	
POLICE POWER. See CONSTITUTIONAL LAW.	
POLL TAXES. See ELECTIONS.	
POWERS.	
Construction—Execution	918

See the SPECIFIC HEADS THROUGHOUT INDEX. Continuance of Condition—Principal and Agent	
Death—Absentee Seen Alive—To What Time Proof Relate 6 Death—Evidence Held Sufficient to Rebut Statutory Presumption	
Death—Evidence Held Sufficient to Rebut Statutory Presumption	616
tion	
Death-Evidence of Single Witness-Sufficiency 6	
Death Milachee to illa of Respat Licoumption on cametamete	,10
of Disappearance 6	316
Death—Statutory Presumption—Rebuttal 6	
Death-Title Dependent upon Survivorship-Burden of Proof 6	
Lost Will—Destruction—Intention—Declarations	87
PRINCIPAL AND AGENT.	
See AGENCY.	
PRINCIPAL AND SURETY.	
See SURETYSHIP.	
PRISONS AND PRISONERS.	
Temporary Releases from Prison	ממ
	••
PRIVATE BANKERS.	
See BANKS AND BANKING.	
PRIVILEGED COMMUNICATIONS.	
See WITNESSES.	
PRIVILEGES.	
See CIVIL RIGHTS: WITNESSES.	
PROBATE.	
See WILLS.	
see wills.	
PROCESS.	
See SUMMONS AND PROCESS.	
PRODUCE VENDERS.	
See LICENSES.	
PROHIBITION.	
Grounds—Want or Excess of Jurisdiction	908
	•••
PROMOTER.	
See STOCK AND STOCKHOLDERS.	
PROSTITUTION. Editorial—The White Slave Act	
	471

PROXIMATE CAUSE. See NEGLIGENCE; RAILROADS.	
PUBLIC OFFICERS. See CLERKS OF COURT. Can a Woman Be a Deputy Clerk in Virginia?	5 5 7 9
PURE FOOD AND DRUG ACT. See ADULTERATION.	
RACING. See HORSE RACING.	
RAILROADS. See CARRIERS; CROSSINGS; MASTER AND SERVANT STREET RAILROADS. Carriage of PassengersRailway Mail Clerks—Contributory Negligence—Assumption of Risk	0 0 0 2 8 3 3 3 3 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6
REAL ESTATE. Rock and Earth Placed on Land	14
REASONABLE DOUBT. Substitution of Other Terms than "Reasonable Doubt" to Define Quantum of Proof to Justify a Conviction	' 6
REASONABLE DOUBT AGAIN. Editorial—Reasonable Doubt	88

RECEIVERS.	
See BANKS AND BANKING. Trust Companies—Payment of Assets—Injunction—Contempt	679
RECORDING ACTS.	
See NOTICE.	
Liens-United States-Vessels-Record-Necessity	
Mortgages—Fees—Necessity of Payment	25
RECORDS.	
See APPEAL AND ERROR.	
Evidence—Admissibility—Municipal Ordinances	683
REDEMPTION OF LAND.	
See JUDICIAL SALES AND RENTINGS.	
REFERENCE.	
See APPEAL AND ERROR; PARTITION; TRUSTS.	
Division of Lands—Commissioners	111
Partition—Report of Commissioner—Objections	
Report of Commissioner—Weight	
When Proper—Fraudulent Conveyances	133
REFORM OF THE LAW.	
See EDITORIAL.	
Editorial—Law Reform	856
Editorial—Reform in the Jury System in Great Britain	392
Editorial—Report on Legal Reform at the Last Virginia State	
Bar Association	
Editorial—The Evil of Many Laws	
Levy—Suggested Change	795
Springs, 1913)—Leading Article	291
The Decline in Litigation	477
The Law's Delay	556
RELIGIOUS SOCIETIES.	
Capacity to Take by Devise	527
Editorial-Old Foes in New Places and with New Faces (Va-	
lidity of Church Vows)	949
Editorial—Power to Take Real Estate by Devise	305
REMAINDERS, REVERSIONS AND EXECUTORY INTE ESTS. See ESTATES.	IR-
Insurance—Duty of Life Tenant	540
Interest on Incumbrances—Liability of Tenant	

See WITNESSES.
RESCISSION, CANCELLATION AND REFORMATION. See EXCHANGE OF PROPERTY; STOCK AND STOCKHOLDERS; WILLS. Cancellation of Instruments—Equitable Relief—Terms
RES GESTÆ. What Constitutes
RESIDENCE. See CORPORATIONS; ELECTIONS; PLEADING.
RESTAURANT. See INNS AND INNKEEPERS.
RESTRAINT OF TRADE. Right of Owners of Patent to Control Retail Price Denied 234
RESULTING TRUST. See TRUSTS.
REVENUE LAWS. See INTOXICATING LIQUORS; TAXATION.
REVIEW. See APPEAL AND ERROR; BILL OF REVIEW.
REVIVAL. See ABATEMENT, REVIVAL AND SURVIVAL.
RIPARIAN RIGHTS. See NAVIGABLE WATERS.
ROADS. See STREETS AND HIGHWAYS.
RULES OF COURT. The Federal Equity Rule No. 46—Testimony Taken in Open Court—Leading Article
SALES. See BAILMENTS; INTOXICATING LIQUORS; JUDI- CIAL SALES: SPECIFIC PERFORMANCE; STOCK

SALES—Continued.	
AND STOCKHOLDERS; VENDOR AND PURCHASER.	
Action for Price-Evidence	847
Actions—Evidence—Sufficiency	921
Conditional Sales—Statutes—Construction	916
Contract—Breach	692
Contracts—Warranties	
of Warranty	
ages	692
Recovery of Price—Evidence	847
Right of Owners of Patent to Control Retail Price Denied	234
Sale of Horse—Damage during Trial Run—Seller's Risk	152
Warranties—Defective Quality	57
SCHOOLS.	
Maternity Does Not Disqualify Teacher	
Should Common Law Be Taught in the Public Schools?	
Spurious American Degrees in Germany	959
SECOND OFFENSE.	
See INDICTMENT AND INFORMATION.	
SEDUCTION.	
An Unmarried Woman Determined	153
SEGREGATION OF RACES.	
See MUNICIPAL CORPORATIONS.	
Municipal Ordinances-Police Powers-Impairment of Obli-	
gation of Contract	553
Restrictions Imposed by Segregation Ordinances Held to Be Reasonable	427
Right to Reside Where One Chooses the Right of State Citizenship	427
Segregation Ordinances—Delegation of Power to Residents	₹21
and Lot Owners	427
Segregation Ordinances—Due Process of Law	427
Segregation Ordinances—Effect of Subsequent General Stat-	1~.
ute Conferring Express Power to Pass Same	427
Segregation Ordinances—Express Authority—An Exercise of	400
Police Powers	
SELF-DEFENSE.	
See HOMICIDE.	

SENTENCE AND PUNISHMENT.	
Jury of Matrons Temporary Releases from Prison	
SEPARATE ESTATE OF MARRIED WOMEN.	
Evidence	853
SERVICE OF PROCESS. See APPEARANCES; SUMMONS AND PROCESS.	
SEWERS. See DRAINS AND SEWERS.	
SLANDER.	
See LIBEL AND SLANDER.	
SLAVES.	
See MARRIAGE.	
SPECIAL LAWS.	
See STATUTES.	
SPECIFIC PERFORMANCE. See INJUNCTIONS; STOCK AND STOCKHOLDERS. Actions—Sufficiency of Evidence—Compliance with Contract Actions—Sufficiency of Evidence—Terms of Contract Denial of Relief—Answer Failure of Title—Wife's Refusal to Join Jurisdiction—Uncertain Contract—Damages Relief—Value of Improvements—Statutes—Application Right to Compel—Title of Vendor Right to Specific Performance Right to Specific Performance—Imposition	854 933 933 780 780 918 850
STARE DECISIS.	
Appeal and Error—Determination—Effect in Lower Court Editorial—Secondary Authority Editorial—United States Decisions as Authority in England	782
STATE.	
See EMINENT DOMAIN. Costs—Persons Liable—Public Officers Property of State Institutions—Control of State Suits against—Consent to Be Sued Suits against—Hospital for Insane—Enforcement of Trust	862 862
STATUTE OF FRAUDS. See FRAUDS STATUTE OF	

STATUTES.	
See ACTS OF ASSEMBLY; CODES OF VIRGINIA; IN-	
DICTMENT AND INFORMATION.	
Amendment—Validity	218
Construction	740
Construction—Intent	45
Construction—Intention—Mode of Finding	38
Construction—Spirit of Law	25
Construction—Spirit of the Statute	
Editorial-What's the Remedy? Legislative Enactments	953
Editorial—When Should a Statute Be Construed by a Court	
of Last Resort?	302
General and Special Laws—Trial Justices	
Implied Repeal218,	369
	52
Penal Statutes—Construction	
Repeal—Presumption	369
Repeal by General Law-Consolidation of Municipalities-	
Charter	
Repeal of Statute—City Council—Vacancy	369
STIPULATIONS.	
Appeal and Error—Admissions in Trial Court	937
STOCK AND STOCKHOLDERS.	
Corporations—Stock—Sale—Transfer—Trust Agreement	60
Purchase of Corporate Stock-Fraud Inducing Purchase-Re-	
scission—Delay	53 8
Purchase of Corporate Stock—Fraudulent Representations—	
Ratification	538
Purchase of Stock Induced by Fraud—Waiver	
Subscription—Action—Defense—Accord and Satisfaction	939
Subscription—Action for Subscription—Defenses—Promoter's	
Contract	939
Subscription—Action for Subscription—Defenses—Stockhold- er's Contract	000
Subscription to Stock—Notice of Organization Meeting	
	939
STREET RAILROADS.	
Construction—Maintenance of Street	
Construction—Repair of Streets	276
Equitable Estoppel	276
Injuries to Passenger in Alighting—Fingers in Wrong Place	793
Injury to Pedestrian—Contributory Negligence	926
	276

STREETS AND HIGHWAYS.	
See AUTOMOBILES; CROSSINGS; STREET RAIL-ROADS.	
Actions against Counties—Pleading—Sufficiency of Plea of Offset	
Engineer—Fraud of Other Party—Mistake Issuance of County Bonds for Road or Bridge Improvement under Act of February 25, 1910—Form and Requisites of Or-	
der for Election	16
der Statute Issuance of County Bonds for Road or Bridge Improvement under Act of February 25, 1910—Power of Court to Designation	16
nate Roads and Bridges to Be Improved	16
SUCCESSION TAXES. Collateral Inheritance Tax—Leading Article	241
SUICIDE.	
See LIFE INSURANCE.	
Status of Suicide as a Crime—Leading Article	641
SUMMONS AND PROCESS.	
See APPEARANCES; CORPORATIONS.	
Depositions—Notice—Service—Mode of Service—Mail	57
Depositions—Notice—Service—Party	57
Attorney	57
	701
Editorial—Service of Process on Corporations	874
Legality of Service by Trickery Service of Process—Corporations—"Executed"	233
	800
SUNDAYS AND HOLIDAYS.	
Editorial—Why "Sabbath"?	709
SUPPORT AND MAINTENANCE.	
See WILLS. Deeds—Failure of Consideration—Support and Maintenance— Relief	694
SURETYSHIP.	
See GUARANTY.	
Bonds—Construction—Impossibility of Performance	126

SURETYSHIP—Continued.	
Bonds—Joint Obligation—Liability	126 769
SURGEONS.	
See PHYSICIANS AND SURGEONS.	
SURPLUSAGE.	
See INDICTMENT AND INFORMATION.	
SURVIVAL.	
See ABATEMENT, REVIVAL AND SURVIVAL.	
TAXATION.	
See ELECTIONS: EXECUTORS AND ADMINISTRATORS; LICENSES; SUCCESSION TAXES.	
Assessment—Irregularities	
ute Double Taxation—Tax	
Editorial—The States and the Corporations	25 629
Property Subject to Tax—Corporate "Capital"—Definition	830
Property Subject to Tax-Miller-Manufacturer-Capital	830
Tax Titles in Virginia—Leading Article	488
The Corporation Tax Law of 1909 The Federal Income Tax Law—Leading Article	485
The Federal Income Tax Law (Regulations of the Treasury	401
Department)Leading Article	570
TECHNICAL.	
See DEEDS.	
TELEGRAPHS AND TELEPHONES.	
Editorial—Telephonic Trespass	950
Long Distance Message—Liability of Employer	957
Negligence-Printed Conditions-Sender Not Bound	235
TENANCY IN COMMON.	
See JOINT TENANTS AND TENANTS IN COMMON.	
TENANTS IN COMMON.	
See PARTITION.	
THEATERS AND SHOWS.	
See ANIMALS.	
Injury from Being Hit by a "Foul Ball"	154

THEORY OF CASE.	
See APPEAL AND ERROR.	
THE VIRGINIA LAW REVIEW. Editorial—The Virginia Law Review	710
TIMBER.	
See LOGS AND LOGGING.	
TIME.	
See APPEAL AND ERROR; DISMISSAL, DISCONTINUANCE AND NONSUIT; INDICTMENT AND INFORMATION; INTOXICATING LIQUORS; VENDOR AND PURCHASER.	
TIME CLOCK.	
See MASTER AND SERVANT.	
TORTS.	
Actionable Shadowing	155
TRANSLATION.	
See WILLS.	
TRESPASS.	
Editorial—Telephonic Trespass	950
TRIAL.	
See ARGUMENTS OF COUNSEL; EDITORIAL; ISSUES TO THE JURY; NEW TRIAL.	
Judges and the Silent Oyster Judges Must Not Lecture Juries	
TRIAL JUSTICES.	
See COURTS.	
TRUST AGREEMENT.	
See STOCK AND STOCKHOLDERS.	
TRUSTS AND TRUSTEES.	
See ASSIGNMENTS FOR THE BENEFIT OF CRED- ITORS; BANKS AND BANKING; CONSTITU- TIONAL LAW.	
Accounting of Trustee-Report of Commissioner-Modification	
on Appeal—Effect	
Devise to Religious Society	
Order to Sell Land-Time to Redeem	132

TRUSTS AND TRUSTEES—Continued. Resulting Trust—Purchase Money—Payment—Whole or Aliquot Part
UNDUE INFLUENCE. See WILLS.
UNITED STATES. Priorities—Vessels—Liens—Record—Necessity
UNITED STATES STATUTES. See BANKRUPTCY AND INSOLVENCY; MASTER AND SERVANT; TAXATION. Act of June 11, 1906, 34 Stat. L. 252
VACATION. See CHAMBERS AND VACATION.
VENDOR AND PURCHASER. See SPECIFIC PERFORMANCE. Action for Purchase Price—Admissibility of Evidence. 298 Construction of Contract—Amount of Land. 448 Contract—Construction 857 Editorial—Sales of Land in Gross—Contracts of Hazard 305 Fraud—Farmer Is Tricked by Crafty Dealer 557 Option—Acceptance—Compliance with Terms 854 Performance of Condition—Sufficiency 857 Performance of Conditions—Time of Performance 857 Performance of Contract 857 Possession—Rents and Profits—Improvements 918 Rescission—Deficiency in Acreage 438
VENUE. See APPEAL AND ERROR. Appearance as Waiver—§ 3211 of the Code
VERDICT. See NEW TRIAL.
VIDELICET. See INDICTMENT AND INFORMATION.

INDEX.	1021
INDEX.	1021

VIRGINIA REPORTS. Editorial—113 Virginia	62
VOTERS. See ELECTIONS.	
VOTING TRUST. See STOCK AND STOCKHOLDERS.	
WARRANTIES. See SALES. Implied Warranty—Acceptance of Goods—Damages for Breach of Warranty Implied Warranty—Breach of Warranty—Measure of Damages What Constitutes	692 692
WATERS AND WATERCOURSES.	
Eminent Domain-Riparian Rights-Compensation Fish in Waters over Submerged Land	
WHAT LAW GOVERNS. See CONFLICT OF LAWS.	
WHITE SLAVE ACT.	
Editorial	471
WILLS. See POWERS; RELIGIOUS SOCIETIES; SUCCESSION TAXES; WITNESSES.	
Competency of Testator—Age Construction—Construction in Favor of Will. Construction—Description of Property—Personal Property. Construction—Judgment—Conclusiveness Construction—Provision for Support Editorial—The Right to Dispose of Property by Will. Evidence—Res Gestæ—Declarations of Testator. Execution—Place of Signing	527 700 918 700 147
Holographic Wills—Execution—Place of Signing. Legacies—Specific Legacies Lost Will—Destruction—Intention—Declarations—Evidence Lost Will-Proof—Evidence Mental Capacity—Disease Mental Capacity—Sufficiency of Evidence Probate—Review—Harmless Error Revocation—Bequests and Devises Subject to Ademption	540 846 87 87 295 295 945

WILLS—Continued.	
Testamentary Capacity	535
Testamentary Capacity—Evidence	535
Testamentary Incapacity—Evidence—Instructions	
Translation of Foreign Wills	
Undue Influence—Burden of Proof	
Undue InfluenceF.ffect	
Undue Influence—Sufficiency of Evidence	
Witnesses—Competency—Execution of Will—Statutes	
Witnesses—Husband and Wife—Communications—Statutes	
WITNESSES.	
See DEPOSITIONS; RULES OF COURT; WILLS.	
Competency—Execution of Will—Statutes	
Competency—Husband and Wife	
Competency—Husband and Wife—Statutes	945
Conduct of Trial-Rebuttal-Rebuttal Testimony	
Credibility—Female Veracity Judicially Vindicated	
Credibility—Grounds for New Trial	381
Credibility-Negro's Testimony Not Believed by Court	958
Credibility—Reputation	
Cross-Examination—Evidence—Foundation for Impeachment.	
Cross-Examination—Scope	847
Editorial—Failure to Testify	789
Equity—Competency—Husband and Wife	
The Art of Cross-Examination	799
WORDS AND PHRASES.	
	00*
"Account"" "All Offenses of Whatever Nature"	935
"Bank"	
"Building" "Capital"	45
	830
"Children"	
"Contiguous"	87.6
"Corn Liquor"	
"Delivery"	
"Deputy"	401
"Doing Business"	386
"Domestic Animal"	
	25
"Executed"	855
"Expressly"	38
"Extra"	
"Einal Order"	COO

WORDS AND PHRASES—Continued.	
"Heirs"	13
"Hereditary Disease"	
"Insurable Interest"	
"Intentional Irregularities"	68
"Licensee"	
"Liquors"	
"Matter"	93
"Money Due on Contract"	36
"Moral Turpitude"	
"Mortgages"	2
"Multifariousness"	91
"Municipal Corporations"	
"Necessitous Circumstances?"	63
"Overseer of a Road"	29
"Personal Property"194,	70
"Proceedings"	4
"Property"	
"Proximate Cause"	93
"Real Property"	19
"Rejected Voters"	
"Sabbath"	
"Tax"	2
"Thing"	
"Unmarried Women"	
"Whatever Nature"	
"Whisky"	69
•	

WORKING CONTRACTS.

See STREETS AND HIGHWAYS; SURETYSHIP.